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## UNITED STATES DISTRICT COURT

## FOR THE DISTRICT OF ALASKA

OMAR STRATMAN,	)	
	)	
Plaintiff,	)	
	)	Case No. A02-0290 CV (JKS)
versus	)	
	)	<b>LEISNOI, INC.'S MOTION FOR</b>
LEISNOI, INC., KONIAG, INC., and	)	<b>LEAVE TO FILE CERTAIN</b>
DIRK KEMPTHORNE, SECRETARY OF	)	<b>EXHIBITS WITH LEISNOI, INC.'S</b>
THE INTERIOR,	)	<b>REPLY BRIEF (#188) RE:</b>
	)	<b>ADMINISTRATIVE FINALITY AND</b>
Defendants.	)	<b>COLLATERAL ESTOPPEL</b>
	)	

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LEISNOI, INC. hereby moves, per Local Rule 7.1(h)(2), for leave to file certain exhibits with its Reply Brief (docket #188) re: Administrative Finality and Collateral Estoppel.

In his opposition (docket # 168) to the Motion to Dismiss re: Administrative Finality and Collateral Estoppel (docket #118), Stratman challenged the adequacy of representation of litigants Philip Holdsworth and the Alaska Wildlife Federation and Sportsmen's Council, Inc.; and claimed that collateral estoppel could not attach because the ANCAB had entered an order electing to treat these litigants as *amicus curiae*. The seven short exhibits Leisnoi seeks leave to file pertain to the ANCAB proceedings and the BIA proceedings that gave rise to the appeal, and are referenced in Leisnoi's reply brief as showing the adequacy of representation, the ruling

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giving rise to the ANCAB appeal, and the commonality of interests and legal arguments between Omar Stratman and the parties who challenged Woody Island's eligibility for benefits before the Alaska Native Claims Appeal Board.

The documents, attached to the reply (#188) consist of the following:

1. (#188-2) January 21, 1974 Protest of eligibility of unlisted village, filed by attorney James F. Clark of Robertson, Monangle, Eastaugh & Bradley on behalf of Philip Holdsworth and the Alaska Wildlife Federation and Sportsmen's Council, Inc.
2. Not used.
3. (#188-3) March 29, 1974 Appeal of Alaska Wildlife Federation and Sportsmen's Council, Inc. and Philip Holdsworth to the Alaska Native Claims Appeal Board from the final determination of eligibility of Woody Island.
4. (#188-4) April 3, 1974 Request for Production propounded by Philip Holdsworth and the Alaska Wildlife Federation and Sportsmen's Council, Inc.
5. (#188-5) April 15, 1974 Reply by Alaska Wildlife Federation and Sportsmen's Council, Inc. and Philip Holdsworth to Motion for Preliminary Ruling.
6. (#188-6) April 19, 1974 Opposition of Alaska Wildlife Federation and Sportsmen's Council, Inc. and Philip Holdsworth to Koniag and Leisnoi, Inc.'s Motion for Order Dismissing Appeals.
7. (#188-7) May 16, 1974 Notice of Inability to Continue in Appeals Proceedings filed by Alaska Wildlife Federation and Sportsmen's Council, Inc. and Philip Holdsworth.
8. (#188-8) May 24, 1974 Notice and Order by the Alaska Native Claims Appeal Board.

Some of these exhibits were discussed by Omar Stratman in his opposition (Docket #168) and may have been filed by Stratman in his very large stacks of exhibits recently filed, but having these few particular exhibits that are referenced by Leisnoi in its Reply filed as separate, marked exhibits to the Reply will be convenient to the Court.

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WHEREFORE, leave of Court should be granted to file these Exhibits alongside Leisnoi's Reply Brief (docket #188).

DATED this 29<sup>th</sup> day of June, 2007.

RESPECTFULLY SUBMITTED,

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**CERTIFICATE OF SERVICE**

I hereby certify that on June 29, 2007 a copy of the foregoing was served electronically upon Collin Middleton, Esq., Bruce Landon, Esq., and Michael Schneider, Esq.

/s/ John Richard Fitzgerald